

include claims grounded in trademark dilution and deceptive acts and practices, and filed supplemental submissions in furtherance of obtaining preliminary and permanent injunctive relief in the above-captioned action;

WHEREAS, on August 19, 2020, the Court issued an Order directing plaintiff, to, amongst other things, supplement its prior submission of August 18, 2020, by on or before August 26, 2020;

WHEREAS, upon letter application by plaintiff, the Court extended the time by when plaintiff was to supplement its prior submission, from August 26, 2020, until August 27, 2020;

WHEREAS, on August 27, 2020, plaintiff timely filed its supplemental submission in furtherance of obtaining preliminary and permanent injunctive relief in the above-captioned action;

WHEREAS, on September 1, 2020, attorneys representing defendant Jiangsu forwarded correspondence to the Court requesting, amongst other things, leave to move the Court pursuant to Federal Rule of Civil Procedure under Rule 12(b);

WHEREAS, on September 2, 2020, the Court conducted a conference pursuant to the request of counsel to Jiangsu;

WHEREAS, upon conducting the conference, at which plaintiff and only defendant Jiangsu appeared, a resolution on plaintiff's Order to Show Cause concerning defendant Jiangsu and a resolution as to any purported *in personam* jurisdictional defenses raised by Jiangsu was had between plaintiff and Jiangsu, said resolution to be memorialized in a Stipulation to and to be "So Ordered" by this Court;

WHEREAS, for the reasons stated on the record at the conference, the

Court finds that, plaintiff Wheel Choice has demonstrated its entitlement to injunctive relief as against defendants Sainty and Choice Auto by finding that plaintiff Wheel Choice has demonstrated: (a) irreparable harm, (b) a likelihood of success on the merits, (c) the balancing of the equities tips in favor of plaintiff and, (d) the public interest would not be disserved by the issuance of a preliminary injunction;

SUFFICIENT CAUSE BEING HEREBY SHOWN, it is hereby

ORDERED, that pending the final determination of this action, defendants Sainty and Choice Auto and all those acting on their behalf, are preliminarily enjoined and restrained from distributing and/or selling Alfina Luxury Wheels defectively manufactured by defendants and which are the subject of this action, to any wholesaler, retailer and/or distributor of automotive tires, and are otherwise enjoined and restrained from knowingly instructing, aiding or abetting any other person or business entity in engaging in any of the aforementioned activities referred to in this paragraph; and, it is further

ORDERED, that service of this Order may be made upon defendant Sainty to the e-mail address xumeng@sumex.com.cn, and upon Choice Auto to the e-mail address matthewchoy@ymail.com, and such service shall be deemed effective; and it is further

ORDERED, that defendants Sainty and Choice Auto are hereby given notice that they may be deemed to have actual notice of the terms of this Order and any act by them or anyone of them in violation of this Order may be considered and prosecuted as in contempt of Court; and it is further,

ORDERED, that this Order shall remain in effect during the pendency of this action, or until further Order of this Court.

SO ORDERED

Dated: September 9, 2020
White Plains, New York

A handwritten signature in black ink, reading "Cathy Seibel". The signature is written in a cursive, flowing style. The "C" is large and loops around the "athy". The "Seibel" is written in a more compact, cursive script.

CATHY SEIBEL
UNITED STATES DISTRICT COURT JUDGE